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HAWAII
LABOR RELATIONS BOARD

Attorneys for Director of Labor
and Industrial Relations

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of) CASE NO. OSAB 2002-37
) (OSHCO No. U3486)
DIRECTOR, DEPARTMENT OF LABOR) (Inspection No. 305303448)
AND INDUSTRIAL RELATIONS,)
Complainant,) STIPULATION AND SETTLEMENT
) AGREEMENT; EXHIBIT A; APPROVAL
vs.) AND ORDER
)
RAYTHEON CORPORATION,)
)
Respondent.)

STIPULATION AND SETTLEMENT AGREEMENT

Complainant Director of Labor and Industrial Relations ("Director") and
Respondent Raytheon Corporation ("Respondent") having reached a full and complete settlement
of the above-captioned contested case presently pending before the Hawaii Labor Relations
Board ("Board") stipulate and agree as follows:

On or about October 21, 2002 through October 24, 2002, the Director, by and
through the State of Hawaii's Occupational Safety and Health Division ("HIOSH"), inspected
Respondent's workplace located at 562 Avenue G, Ewa Beach, Hawaii 96706.

As a consequence of said inspection, the Director, through HIOSH's Administrator, issued a Citation and Notification of Penalty on November 21, 2002 ("Citation") to Respondent alleging violations of the Hawaii Occupational Safety and Health Standards and assessed an aggregate penalty of \$0.00. *See* Exhibit A.

Respondent timely contested the Citation.

THEREFORE, to avoid the expense of litigation and to compromise and settle the above-captioned case, the parties, by and through their respective representatives, stipulate and agree as follows:

1. The Board has jurisdiction over this contested case pursuant to section 396-11, Hawaii Revised Statutes ("HRS").
2. At all relevant times, Respondent maintained a workplace at 562 Avenue G, Ewa Beach, Hawaii 96706.
3. At all relevant times, Respondent was an employer, as defined in HRS § 396-3, and employed employees, as defined in HRS § 396-3, and was therefore subject to the requirement of HRS chapter 396, the Hawaii Occupational Safety and Health Law.
4. Complainant agrees to withdraw the Citation and Notification of Penalty issued on November 21, 2002, specifically Citation 1, Item 1 and Citation 1, Item 2.
5. Respondent agrees to measure, monitor, and record employee exposure to toxic materials or harmful physical agents as required and in accordance with Hawaii Administrative Rules ("HAR") § 12-202-1(e); e.g. propylene glycol dinitrate (PGDN).
6. Respondent agrees to inform its employees of the existence, location, and availability of employee exposure records, employee medical records, and any analyses thereof, pertaining to employees exposed to toxic substances or harmful physical agents in accordance

with HAR § 12-202.3.1.

7. This Agreement and the Citation, as amended, shall become a final order of the Director.

8. Respondent shall post a copy of this Agreement and Order in a prominent place at or near the location of the posting of the Citation, and the Agreement and Order shall remain posted for three working days (excluding weekends and State holidays).

9. Respondent shall continue to comply with HRS chapter 396, the Hawaii Occupational Safety and Health Law, and the related rules.

10. Nothing in this Agreement shall bar the Director from taking any action regarding future acts or practices by Respondent which may be alleged to violate HRS chapter 396, the Hawaii Occupational Safety and Health Law, or the related rules.

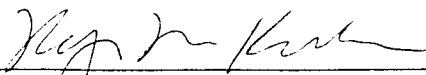
11. By entering into this Agreement, Respondent does not admit that it violated the cited standards for any litigation or purpose other than proceedings under the Hawaii Occupational Safety and Health Law.

DATED: Honolulu, Hawaii, 1/31/13.

RAYTHEON CORPORATION

By: William J. Zuchero, Jr.
William J. Zuchero, Jr.
Program Manager

DIRECTOR OF LABOR AND
INDUSTRIAL RELATIONS

By: 
ROBYN M. KUWABE
Deputy Attorney General

Attorney for Director of Labor and Industrial
Relations, State of Hawaii

APPROVED AND SO ORDERED BY
HAWAII LABOR RELATIONS BOARD:

ORDER NO. 34

DATED: February 6, 2003


BRIAN K. NAKAMURA, Chairman


CHESTER C. KUNITAKE, Member


KATHLEEN RACUYA-MARKRICH, Member

Director, Department of Labor and Industrial Relations v. Raytheon Corporation, Case No.
OSAB 2002-37 - Stipulation and Settlement Agreement